

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED
AUG 27 2009
LAWRENCE K. BAERMAN, CLERK
ALBANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Elizabeth Mitrione, as Guardian Ad Litem on behalf of MELISSA PAGE, an Infant; and BRITTANY PAGE, Individually,

Plaintiffs,

-against-

Civil Action No. 1:02-cv-00526 (LEK)

PATRICIA MONROE, M.D., and ADIRONDACK INTERNAL MEDICINE AND PEDIATRICS, P.C.,

Defendants.

VERDICT SHEET

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1. On or about August 16, 2000, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Brittany Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 2.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 2.

2. On or about August 16, 2000, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Brittany Page?

Yes _____ No _____

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 3.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No _____

Proceed to Question No. 3.

3. On or about September 18, 2000, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Brittany Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 4.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 4.

4. On or about September 18, 2000, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Brittany Page?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 5.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 5.

5. On or about October 12, 2000, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Brittany Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 6.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 6.

6. On or about October 12, 2000, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Brittany Page?

Yes _____ No

If you have answered “Yes” to the above question, proceed to subpart “a.” If you have answered “No,” proceed to Question No. 7.

(a) Was the Defendants’ negligence a substantial factor in causing Brittany Page’s injuries?

Yes _____ No

Proceed to Question No. 7.

7. On or about October 26, 2000, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Brittany Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 8.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 8.

8. On or about October 26, 2000, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Brittany Page?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 9.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 9.

9. On or about December 22, 2000, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Brittany Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 10.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 10.

10. On or about December 22, 2000, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Brittany Page?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 11.

(a) Was the Defendants' negligence a substantial factor in causing Brittany Page's injuries?

Yes _____ No

Proceed to Question No. 11.

11. Between on or about August 16, 2000 and January 2001, did the Defendants deviate from the accepted standard of care by failing to properly diagnose Melissa Page of sexual abuse?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to Question No. 12.

(a) Was the Defendants' negligence a substantial factor in causing Melissa Page's injuries?

Yes _____ No

Proceed to Question No. 12.

12. Between on or about August 16, 2000 and January 2001, did the Defendants deviate from the accepted standard of care by failing to appropriately treat and/or care for Melissa Page?

Yes _____ No

If you have answered "Yes" to the above question, proceed to subpart "a." If you have answered "No," proceed to the next page.

(a) Was the Defendants' negligence a substantial factor in causing Melissa Page's injuries?

Yes _____ No

Proceed to the next page.

SPECIAL VERDICT FORM

1. State separately the amount awarded to Brittany Page for the following items of damages, if any, from on or about August 16, 2000, up to the date of your verdict:

a. Pain and suffering: \$ 2 MILLION

If you decide not to make an award as to any of the above items, you will insert the word "none" as to that item.

2. State separately the amount awarded to Brittany Page for the following items of damages, if any, to be incurred in the future:

a. Pain and suffering including permanent effect of the injury. \$ 4 MILLION

If you decide not to make an award as to any of the above items, you will insert the word "none" as to that item.

- b. If you have made an award for amounts intended to compensate Brittany Page for damages to be incurred in the future, state the period of years over which such amounts are intended to provide compensation:

62 years

3. State separately the amount awarded to Melissa Page for the following items of damages, if any, from on or about August 16, 2000, up to the date of your verdict:

a. Pain and suffering: \$ 2 MILLION

If you decide not to make an award as to any of the above items, you will insert the word "none" as to that item.

4. State separately the amount awarded to Melissa Page for the following items of damages, if any, to be incurred in the future:

a. Pain and suffering including permanent effect of the injury. \$ 3 MILLION

If you decide not to make an award as to any of the above items, you will insert the word "none" as to that item.

- b. If you have made an award for amounts intended to compensate Melissa Page for damages to be incurred in the future, state the period of years over which such amounts are intended to provide compensation:

104 years

YOUR DELIBERATIONS ARE CONCLUDED. PLEASE SIGN THE VERDICT SHEET BELOW AND REPORT YOUR VERDICT TO THE COURT.

The above Verdict and each and every response to each and every question herein constitutes our unanimous Verdict: